

AMENDED IN ASSEMBLY MARCH 30, 1998

AMENDED IN SENATE JANUARY 15, 1998

AMENDED IN SENATE JANUARY 5, 1998

SENATE BILL

No. 155

Introduced by Senator Kelley

January 15, 1997

~~An act to amend Section 8698.6 of the Business and Professions Code, relating to structural pest control. An act to add Section 4846.5 to the Business and Professions Code, relating to veterinary medicine.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 155, as amended, Kelley. ~~Structural pest control~~
Veterinary medicine: license renewal: continuing education.

Existing law requires persons licensed by the Veterinary Medical Board to biennially apply for renewal of their licenses or registrations.

This bill would, commencing January 1, 2001, require the board to issue renewed licenses only to applicants that have completed 36 hours of approved continuing education in the preceding 2 years, as specified. The bill would require proof of compliance to be submitted to the board, and specifically provide that false statements would be subject to existing misdemeanor provisions punishable by a fine or imprisonment, or both. The bill would also require a person applying for relicensure or reinstatement to active license status to certify under penalty of perjury that he or she is in compliance with the continuing education requirement.

A violation of those penalty provisions of the bill would expand the scope of (1) the existing misdemeanor provision, and (2) the existing penalty of perjury, and thus in expanding the scope of those existing crimes could impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law provides for a pilot project, to be repealed effective January 1, 1999, authorizing the agricultural commissioners in Los Angeles, Orange, and San Diego Counties to contract with the director of the Department of Pesticide Regulation to perform increased structural fumigation, inspection, and enforcement activities, as specified, and providing for specified fees to be paid to the applicable county agricultural commissioner by persons performing structural fumigation in those areas. The Structural Pest Control Board is required to designate the director of the department as its agent for the purposes of these activities.~~

~~This bill would extend the operation of the pilot program until January 1, 2000.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4846.5 is added to the Business
2 and Professions Code, to read:
3 4846.5. (a) On or after January 1, 2001, except as
4 provided in this section, the board shall issue renewal
5 licenses only to those applicants that have completed 36
6 hours of approved continuing education in the preceding
7 two years.
8 (b) Every person renewing his or her license issued
9 pursuant to Section 4846.4 shall submit proof of
10 compliance with this section to the board. False

1 statements submitted pursuant to this section shall be a
2 violation subject to Section 4831.

3 (c) A person applying for relicensure or for
4 reinstatement to an active license status shall certify
5 under penalty of perjury that he or she is in compliance
6 with this section.

7 (d) The board shall have the right to audit the records
8 of any applicant to verify the completion of the
9 continuing education requirement. Applicants shall
10 maintain records of completion of required continuing
11 education coursework for a minimum of two years and
12 shall make these records available to the board for
13 auditing purposes upon request.

14 (e) Continuing education instruction shall be
15 approved by an approval organization or group to be
16 established by the board. Providers of continuing
17 education shall be certified by the group.

18 (f) The board may establish a policy for exemptions
19 from the continuing education requirement of this
20 section.

21 (g) The approval group shall establish criteria by
22 which a provider of continuing education shall be
23 approved. The board shall initially review and approve
24 these criteria and may review the criteria as needed. The
25 approval group shall monitor and approve courses and
26 maintain and manage related records and data.

27 (h) The board shall adopt regulations as necessary for
28 implementation of this section.

29 (i) The administration of this section may be funded
30 through professional license fees and continuing
31 education provider and course approval fees. The fees
32 related to the administration of this section shall not
33 exceed the costs of administering the corresponding
34 provisions of this section.

35 SEC. 2. No reimbursement is required by this act
36 pursuant to Section 6 of Article XIII B of the California
37 Constitution because the only costs that may be incurred
38 by a local agency or school district will be incurred
39 because this act creates a new crime or infraction,
40 eliminates a crime or infraction, or changes the penalty

1 *for a crime or infraction, within the meaning of Section*
2 *17556 of the Government Code, or changes the definition*
3 *of a crime within the meaning of Section 6 of Article*
4 *XIII B of the California Constitution.*

5 *Notwithstanding Section 17580 of the Government*
6 *Code, unless otherwise specified, the provisions of this act*
7 *shall become operative on the same date that the act*
8 *takes effect pursuant to the California Constitution.*

9 ~~SECTION 1. Section 8698.6 of the Business and~~
10 ~~Professions Code is amended to read:~~

11 ~~8698.6. This chapter shall remain in effect only until~~
12 ~~January 1, 2000, and as of that date is repealed, unless a~~
13 ~~later enacted statute, which is chaptered before January~~
14 ~~1, 2000, deletes or extends that date.~~

